ISSN 0704-3716

Canadian Translation of Fisheries and Aquatic Sciences

No. 5275

Some aspects of licencing conditions applying to licences granted to fish farms by the Water Rights Court

S. Salonen and T. Ojanen

Original title: Nakokohtia kalankasvatuslaitoksille annettujen vesioikeuden paatosten lupachdoista

In: Suomen kalankasvattaja 4: 24, 1984

Original language: Finnish

Fisheries & Oceans
LIBRARY

JAN 29 1987

BIBLIOTHÈQUE
Pêches & Océans

Available from:
Canada Institute for Scientific and Technical Information
National Research Council
Ottawa, Ontario, Canada K1A 0S2

1986

4 typescript pages

Secretary of State / Secrétariat d'État

90-02745/

MULTILINGUAL SERVICES DIVISION – DIVISION DES SERVICES MULTILINGUES

TRANSLATION BUREAU / BUREAU DES TRADUCTIONS

Client's No.–N° du client	Department – Ministère	Division/Branch – Division/Direction	City – Ville
-	Fisheries and Oceans	IBP	Nanaimo, BC
Bureau No.–N° du bureau	**Language – Langue**	**Translator (Initials) – Traducteur (initiales)**	
2909912	Finnish	OM	NOV 26 1985

Suomen kalankasvattaja (Finnish Fish Farmer), No. 4, 1984, p. 24
(Finland)

FROM THE WATER AUTHORITY

SOME ASPECTS OF LICENCING CONDITIONS APPLYING TO LICENCES GRANTED TO FISH FARMS BY THE WATER RIGHTS COURT

By Seija Salonen and Titta Ojanen
National Water Administration, Industrial Division

The licencing of fish farming and other plans involving water systems by the Water Rights Court may be subject to general conditions such as the following:

- The licence must apply to an operation precisely defined in kind and extent.
- The licence must include unambiguous and succinct regulations on the rights and obligations of the licencee to carry on operations that alter water systems (intake of water, discharge of waste water, water engineering, regulation).
- The licence must be granted for the operation and not vice versa, i.e. the licence must take into account the peculiarities of the operation (e.g. fluctuations in production and pollution, malfunctions).

UNEDITED TRANSLATION
For information only
TRADUCTION NON REVISÉE
Information seulement

- Licencing regulations must be such that it is possible to control whether the operation is taking place within the scope of the licence and whether the consequences of the operation are confined to the limits indicated by the licence.

Licences granted to fish farms by the Water Rights Court generally include restrictions on water intake, quantity of fish and use of feed. Pollution restrictions, primarily on phosphorus, are also becoming more common. The licences also include regulations on pollution and water system monitoring, reporting of fish diseases, term of the licence as well as mandatory planning of measures to reduce pollution. The licences of facilities with net cages and net enclosures also include volume restrictions. Statements issued by the National Water Administration on the basis of fish farming notices include conditions similar to those included in the licences of the Water Rights Court.

Restrictions on production, use of feed and water intake constitute important licencing conditions. A licence from the Water Rights Court is always granted for a given operation whose type and scope must be indicated in the licence. This applies equally to communities, to industry and to fish farming. The production capacity of the facility must in other words be mentioned in the licence.

The use of feed has a direct effect on pollution so that restrictions on feed are also justified. The amounts of fish and feed mentioned in Water Rights Court licences have in this respect an advisory significance; an effort is made to steer fish farming toward less pollution. When calculating the ratio of feed use and the quantity of fish to be reared, an average ratio (feed conversion factor) is used - despite weaknesses associated with the computation of the feed conversion factor (cf. Kalankasvattaja/Fish Farmer No. 3/84: U. Eskelinen & T. Makinen). The reduction of phosphorus pollution will become more important with the development of cleaning methods.

Licences issued for plans based on the use of water generally place restrictions on the quantity of water. The general principle in industrial water pollution control etc. is to minimize water consumption so that the waste water that is generated is reduced in quantity and more concentrated so that waste water treatment becomes technically and financially more meaningful.

Fish farms cannot in this respect be directly compared to industry because there is no actual wastewater treatment for the time being. The restrictions on water in fish farming are based largely on a principle of economy: the water taken must be sufficient to rear the quantity of fish mentioned in the licence but any water beyond that quantity is unnecessary. In low-flow water systems, restrictions on the intake of water are also necessary to secure a sufficient flow of water in the river. A copious flow through the fish farm may also be harmful in terms of water pollution control because it may wash increased amounts of sludge downstream.

An effort is made to restrict any unnecessarily great number of net enclosures and cages in relation to production because the structures are a visual flaw and a hindrance for movement in a sea or lake near cottages.

All licences pertaining to wastewater discharge are issued for a fixed term today. Changes in the enterprise, any harmful effects and development of cleaning methods can then be taken into account when the licences are reviewed.

The licencing regulations of the Water Rights Court must be such that it is possible to control whether the operation complies with the licence. Controlling difficulties are a peculiarity of fish farming licences. An effort is made to formulate licencing conditions so that control is possible. For instance, if the pollution effect of net cages cannot be

measured, an effort is made to control the quantity of fish and thereby pollution by restrictions placed on the rearing capacity. An important principle has certainly also been the above sufficient-but-not-unnecessarily-generous principle.

There has been criticism that the licencing restrictions are too numerous, unnecessary, conflicting and overly severe. Land-based facilities want the restrictions to apply to phosphorus pollution only.

It is difficult to change the structure of licencing conditions because the control is problematic, as mentioned above. If a **reliable** control of the amount of feed and pollution was possible, the authority would in all likelihood not be interested in describing any stringent ratios of the quantities of feed/fish, and the quantity of fish reared on a given quantity of feed would be dependent on the professional skill of the fish farmer. The pollution restriction in turn would guarantee that a given quantity of feed raises a given **minimum** quantity of fish. This way, the quantity of feed and the phosphorus pollution would be mentioned in the licencing conditions and the quantity of fish could be included as a capacity figure in the introduction of the licencing conditions.

The excessive severity of the licencing conditions is generally a matter of opinion and will continue to be so in the future. In some cases, we may be dealing with lack of information and an effort must naturally be made to correct such misinterpretations.